

Message Text

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64
ORIGIN L-03

INFO OCT-01 IO-13 ISO-00 OC-06 CCO-00 CPR-01 /024 R

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R 172001Z AUG 76

FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK

LIMITED OFFICIAL USE STATE 204331

E.O. 11652: N/A

TAGS: PORG, PDIP, UN

SUBJECT: USG REPLY TO SYG REQUEST FOR COMMENTS ON
IMPLEMENTATION OF VIENNA CONVENTION ON DIPLOMATIC RELATIONS

REF: ROSENSTOCK-STOWE TELECON AUGUST 13

1. MISSION IS REQUESTED TO SUBMIT THE FOLLOWING TEXT TO
THE SYG IN RESPONSE TO HIS NOTE OF FEBRUARY 6, 1976 SENT
PURSUANT TO PARA 4 OF A/RES/3501 (XXX).

2. BEGIN NOTE: THE GOVERNMENT OF THE UNITED STATES OF
AMERICA PRESENTS ITS COMPLIMENTS TO THE SECRETARY GENERAL
OF THE UNITED NATIONS AND HAS THE HONOR TO REFER TO HIS
NOTE OF FEBRUARY 6, 1976 CONCERNING GENERAL ASSEMBLY
RESOLUTION 3501 (XXX).

3. THE QUESTIONS OF WAYS AND MEANS TO ENSURE THE IMPLI-
MENTATION OF THE PROVISIONS OF THE VIENNA CONVENTION ON
DIPLOMATIC RELATIONS OF 1961 AND THE DESIRABILITY OF THE
ELABORATION OF PROVISIONS CONCERNING THE STATUS OF THE
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DIPLOMATIC COURIER WERE ADDRESSED IN SOME DETAIL AT THE

THIRTIETH SESSION OF THE GENERAL ASSEMBLY BY THE UNITED STATES REPRESENTATIVE. THESE COMMENTS MAY BE FOUND IN THE PROVISIONAL SUMMARY RECORDS OF THE SIXTH COMMITTEE

(A/C.6/SR.1579 AND 1581 OF DECEMBER 3, 1975 AND DECEMBER 4, 1975).

4. THE GOVERNMENT OF THE UNITED STATES ATTACHES CONSIDERABLE IMPORTANCE TO THE CONVENTION AND ITS IMPLEMENTATION. IT BELIEVES THAT, SINCE THE CONVENTION IS, IN MOST MATERIAL RESPECTS, A CODIFICATION OF EXISTING DIPLOMATIC LAW, STATES ARE BOUND BY ITS TERMS WHETHER OR NOT THEY ARE PARTIES. THE WIDEST POSSIBLE ADHERENCE TO THE CONVENTION IS NEVERTHELESS DESIRABLE. THE UNITED STATES ATTACHES PARTICULAR IMPORTANCE TO THE WIDEST POSSIBLE ACCEPTANCE OF THE OPTIONAL PROTOCOL CONCERNING THE COMPULSORY SETTLEMENT OF DISPUTES. IT BELIEVES THAT ACCEPTANCE OF THE OPTIONAL PROTOCOL IS THE BEST WAY OF ENSURING APPLICATION OF THE RULES CONTAINED IN THE CONVENTION AND GIVING EARNEST OF ONE'S INTENTION TO COMPLY WITH ALL THE RIGHTS AND DUTIES IN GOOD FAITH.

5. WITH REGARD TO THE STATUS OF THE DIPLOMATIC COURIER, THE UNITED STATES GOVERNMENT BELIEVES THAT THE EXISTING TEXT OF THE CONVENTION, IN PARTICULAR ARTICLE 27, COVERS THE MATTER ADEQUATELY AND DOES NOT NEED TO BE CHANGED OR ADDED TO. THE UNITED STATES IS CONVINCED THAT COMPLIANCE WITH THE RELEVANT EXISTING RIGHTS AND OBLIGATIONS IS ALL THAT IS REQUIRED. THE UNITED STATES GOVERNMENT DOES NOT BELIEVE FURTHER CONSIDERATION OF THE MATTER IS MERITED AT THIS TIME. END NOTE. KISSINGER

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FOREIGN RELATIONS, AGREEMENTS, FOREIGN POLICY POSITION, DIPLOMATIC NOTES
Control Number: n/a
Copy: SINGLE
Draft Date: 17 AUG 1976
Decapton Date: 01 JAN 1960
Decapton Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: KelleyW0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE204331
Document Source: CORE
Document Unique ID: 00
Drafter: L/UNA:RFSTOWE:MAB
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760316-0232
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760845/aaaabnfn.tel
Line Count: 92
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: KelleyW0
Review Comment: n/a
Review Content Flags:
Review Date: 29 MAR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <29 MAR 2004 by greeneet>; APPROVED <03 AUG 2004 by KelleyW0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: USG REPLY TO SYG REQUEST FOR COMMENTS ON IMPLEMENTATION OF VIENNA CONVENTION ON DIPLOMATIC RELATIONS
TAGS: PORG, PDIP, US, UN
To: USUN NEW YORK
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006